

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:01CR3105-6
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
GAILYN BASS,)	
)	
Defendant.)	

The defendant has filed a motion which seeks to set aside and vacate his conviction and sentence, requests copies of documents, and requests permission to proceed in forma pauperis (filing 372). He has filed a separate motion seeking copies of his sentencing report and presentence investigation report and the docket sheet (filing 378).

Filing 372 seeks relief under 28 U.S.C. § 2255, but is not made in the required form. I will direct the Clerk of the United States District Court for the District of Nebraska to mail a copy of the form used for section 2255 motions to the defendant.

I will deny the request to proceed in forma pauperis, as it is not supported by the proper affidavit and there is no filing fee required for section 2255 motions. I will also deny the request for copies. After the section 2255 motion is filed on the proper form, if the defendant believes he needs copies of documents they can later be provided.

IT IS ORDERED:

1. The Clerk of the United States District Court for the District of Nebraska is directed to mail a copy of the form for section 2255 motions to the defendant;

2. The defendant is directed to file a proper section 2255 motion on the form provided by the Clerk;
3. The request for copies contained within filing 372 and reasserted in filing 378 is denied; and
4. Permission for leave to proceed in forma pauperis is denied.

November 6, 2006

BY THE COURT:

s/Richard G. Kopf
United States District Judge